

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.580 OF 2005
IN
FIRST APPEAL NO.281 OF 2005

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OFFICE NOTES, OFFICE
MEMORANDUM OF CORAM,
APPEARANCES, COURT'S
ORDERS OR DIRECTIONS
AND REGISTRAR'S ORDERS

=====

COURT'S OR JUDGES
ORDERS

Mr K.K. Tated, A.G.P. for the
Applicant.

Mr Jeetinder Sachadev for the
Respondent.

CORAM : A.S. OKA, J.

DATE : MARCH 28, 2006.

P.C.:

1. Notice was already issued in
the Appeal to the Respondent.

2. Heard learned A.G.P.
appearing for the Applicant. The
challenge in the First Appeal is to
the Award under Section 18 of the
Land Acquisition Act, 1894.
Execution of Award cannot be stayed
unless the entire amount is deposited
by the Applicant/Appellant. Hence,
there will be interim relief in terms

of prayer clause (b) subject to the condition that the Applicant will deposit the entire amount due and payable as per the impugned Judgment and Award in the reference Court within twelve weeks from today. If the amount is not deposited within the stipulated period, stay granted will stand vacated automatically.

3. If the amount is deposited by the Applicant, the Respondent will be entitled to withdraw the said amount subject to furnishing security to the satisfaction of the Reference Court.

4. Civil Application is disposed of in above terms.

5. As this order is passed without notice to the Respondent, he will be at liberty to apply for modification of this order.

JUDGE